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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/620,558   | 07/17/2003  | Long-Jyh Pan         | LEE0013-US          | 9250             |
| 7590   | 06/01/2005  |                      | EXAMINER            |                  |
| Michael D. Bednarek<br>Shaw Pittman LLP<br>1650 Tysons Boulevard<br>McLean, VA 22102 |             |                      | CHANG, YEAN HSI     |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2835                |                  |

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

2

|                              |                                      |                                   |  |
|------------------------------|--------------------------------------|-----------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/620,558 | <b>Applicant(s)</b><br>PAN ET AL. |  |
|                              | <b>Examiner</b><br>Yean-Hsi Chang    | <b>Art Unit</b><br>2835           |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 May 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4 and 8-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Curtis et al. (US 6,594,472 B1).

Curtis teaches a protection structure for use with a communication device (1, fig. 1) having an interchangeable housing (2 and 3), said electronic device having an electronic module (13), said interchangeable housing having an upper cover (2) and a lower cover (3), said upper cover separably connecting with said lower cover, said upper cover and said lower cover together forming a first space (shown in fig. 1) for accommodating said electronic module, said protection structure comprising: a first protection element (11) disposed between said upper cover and said electronic module; and a second protection element (12) disposed between said lower cover and said electronic module, and connecting with said first protection element (shown in fig. 3), wherein said first protection element and said second protection element in combination

Art Unit: 2835

substantially completely accommodate and protect said electronic module (shown in fig. 3) (claims 1 and 8); wherein said first protection element includes a display window (fig. 3), said electronic module includes a display device (18), said display device displays an information through said display window (claims 2 and 9); wherein said second protection element includes an opening (22), said electronic device connects with an electrical power supply device (23) through said opening (claims 3 and 10); and wherein said protection structure includes an antenna (19) disposed on said second protection element (see col. 3, lines 48-50) (claims 4 and 11).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-7 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curtis et al. in view of Tomura et al. (US 5,150,282).

Curtis discloses the claimed invention except indicating the first and second protection elements of the protection structure being made of metal materials.

Tomura teaches a communication device (fig. 1) comprising a first protection element (10) and a second protection element (4) being made of metal materials (see col. 1, lines 38-47) for EMI shielding purposes.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Curtis with the protection structure taught by Tomura for EMI shielding purposes.

### ***Response to Arguments***

5. Applicant's arguments filed 5/17/05 have been fully considered but they are not persuasive. Applicant argues, "Curtis discloses a protection structure for use with a communication device, but the combination of a first protection element (the front cover 2) and a second protection element (the rear cover 3) does not completely protect the electronic module inside"; and "Curtis, however, does not disclose any protective devices that allow electrical connection between the electronic device and the power supply". Firstly, in the rejection of the office action mailed 2/22/05, element 2 and 3 are considered as upper cover and lower cover of the housing. The first and second protection elements of the protection structure are considered as elements 11 and 12, respectively. The portion 27 is a part of the first protection element 11 as shown in fig. 2; and secondly, Curtis discloses said second protection element 12 includes an opening 22, said electronic device connects with an electrical power supply device 23 through said opening just as recited in claims 3 and 10.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Correspondence***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30 - 16:00, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained

Art Unit: 2835

from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang  
Primary Examiner  
Art Unit: 2835  
May 26, 2005



YEAN-HSI CHANG  
PRIMARY EXAMINER